

Form PTO-1390
(REV 10-94)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

10873.1659USWO

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

Unknown 10/528521

INTERNATIONAL APPLICATION NO.

PCT/JP2003/012048

INTERNATIONAL FILING DATE

September 22, 2003

PRIORITY DATE CLAIMED

September 20, 2002

TITLE OF INVENTION

SPECTROMETER USING DIFFRACTION GRATING

APPLICANT(S) FOR DO/EO/US

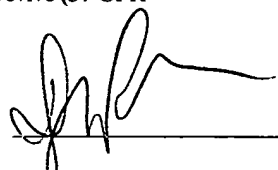
NISHII et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(I).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ A signed oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.
☐ A SECOND of SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: Application Data Sheet (6 pages), Communication Under 37 C.F.R. 1.32, International Publication Page, Form PCT/ISA/210, Form PCT/IB/306, Form PCT/IB/308, Form PCT/IPEA/409

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER		
Unknown		PCT/JP2003/012048		10873.1659USWO		
BASIC NATIONAL FEE (37 CFR 1.492(a) (1)-(5)):						
[X] a) Basic National fee.....				\$300.00	\$300.00	
[X] b) Examination fee.....				\$200.00	\$200.00	
[X] c) Search fee.....				\$500.00	\$500.00	
TOTAL OF ABOVE CALCULATIONS =				\$1000.00		
Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.						
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		Rate		
60	-100 = 0	/50 =		X \$250.00	\$0	
Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$0		
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			
Total claims	12	-20 = 0	X \$50.00	\$0		
Independent claims	8	-3 = 5	X \$200.00	\$1000.00		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$0		
TOTAL OF ABOVE CALCULATIONS =				\$2000.00		
Reduction by 1/2 for filing by small entity, if applicable. Small entity status is claimed pursuant to 37 CFR 1.27				\$0		
SUBTOTAL =				\$2000.00		
Processing fee of \$130.00 for furnishing the English translation later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+ \$0		
TOTAL NATIONAL FEE =				\$2000.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+ \$40.00		
TOTAL FEES ENCLOSED =				\$2040.00		
				Amount to be: refunded	\$0	
				charged	\$0	
a. [X] Check(s) in the amount of \$2000.00 and \$40.00 to cover the above fees is enclosed.						
b. [] Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.						
c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-2725.						
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.						
SEND ALL CORRESPONDENCE TO: Douglas P. Mueller MERCHANT & GOULD P.O. Box 2903 Minneapolis, MN 55402-0903						
				SIGNATURE: 		
				NAME: Douglas P. Mueller		
				REGISTRATION NUMBER: 30,300		

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: NISHII et al.
 Docket: 10873.1659USWO
 Title: SPECTROMETER USING DIFFRACTION GRATING

10/528521

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 495870589 US
 Date of Deposit: March 18, 2005

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop PCT, Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450.

By: 

Name: David Ortiz

Mail Stop PCT
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450

Commissioner:

We are transmitting herewith the attached:

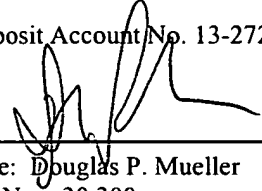
- ☒ Transmittal sheet, in duplicate, containing Certificate under 37 CFR 1.10.
- ☒ National Stage PCT Patent Application: Spec. 50 pgs; 12 claims; Abstract 1 pgs.
The fee has been calculated as shown below in the 'Claims as Filed' table.
- ☒ 10 sheets of formal drawings
- ☒ A signed Combined Declaration and Power of Attorney
- ☒ Assignment of the invention to NIPPON SHEET GLASS COMPANY, LIMITED and NATIONAL INSTITUTE OF ADVANCED INDUSTRIAL SCIENCE AND TECHNOLOGY, Recordation Form Cover Sheet
- ☒ A check in the amount of \$2000.00 to cover the Filing Fee
- ☒ A check for \$40.00 to cover the Assignment Recording Fee.
- ☒ Application Data Sheet, 6 pages.
- ☒ Other: Form PTO-1390, Preliminary Amendment (14 pages), Communication Under 37 C.F.R. 1.32, International Publication Page, Form PCT/ISA/210, Form PCT/IB/306, Form PCT/IB/308, Form PCT/IPEA/409
- ☒ Return postcard

CLAIMS AS FILED

Number of Claims Filed	No.	In Excess of		Extra		Rate		Fee
Total Claims	12	20		0		50.00	=	0.00
Independent Claims	8	3		5		200.00	=	1000.00
Multiple Dependent Claims Fee							=	0.00
Basic Filing Fee							=	300.00
Search Fee							=	200.00
Examination Fee							=	500.00
Utility Application Size Fee	60	100		0		250.00	=	0.00
Total							=	2000.00

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

Merchant & Gould P.C.
 P.O. Box 2903 Minneapolis, MN 55402-0903
 612.332.5300

By: 
 Name: Douglas P. Mueller
 Reg. No.: 30,300
 Initials: DPM/sbd

23552

PATENT TRADEMARK OFFICE

(PTO TRANSMITTAL - NEW FILING)

10/528521

S/N Unknown

JC05 Rec'd PCTO 18 PATENT 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	NISHII et al.	Examiner:	Unknown
Serial No.:	Unknown	Group Art Unit:	Unknown
Filed:	March 18, 2005	Docket No.:	10873.1659USWO
Title:	SPECTROMETER USING DIFFRACTION GRATING		

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 495870589 US
Date of Deposit: March 18, 2005

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: 

Name: David Ortiz

COMMUNICATION UNDER 37 C.F.R. §1.32(c)(3)

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

Pursuant to 37 C.F.R. §1.32 (c)(3) please appoint the following 10 practitioners named in the Power of Attorney to be recognized by the U.S. Patent Office as being of record in the above-identified application:

Brian H. Batzli (32,960)
John A. Clifford (30,247)
John J. Gresens (33,112)
Curtis B. Hamre (29,165)
Robert A. Kalinsky (50,471)

James A. Larson (40,443)
Douglas P. Mueller (30,300)
Joshua N. Randall (50,719)
Michael D. Schumann (30,422)
Gregory A. Sebald (33,280)

The undersigned was named on the Power of Attorney.

Respectfully submitted,



MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Dated: March 18, 2005

By: 

Douglas P. Mueller
Reg. No. 30,300

DPM/sbd